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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,727	12/21/2001	Robert M. Coleman	D/A0059Q	5915

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100 Clinton Ave. S.
Rochester, NY 14644

EXAMINER	
RUDOLPH, VINCENT M	
ART UNIT	**PAPER NUMBER**
2624	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/024,727	COLEMAN, ROBERT M.	
	Examiner	Art Unit	
	Vincent Rudolph	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 December 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/21/2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because the legal term "by said printer" mentioned in lines 5 and 13 should be avoided within the abstract. Correction is required. See MPEP § 608.01(b).

Drawings

The drawings received on February 6, 2003 are objected to because they do not include a "Load" selection button as described with the specification. The drawings filed on December 21, 2001 have the "Load" selection button included within Figure 2, Element 21 and Figure 5, Element 45. Additionally within Figure 5, the "Printer Imagine Actions" does not have an accompanying number beside it, which should be Element 48 according to the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet

submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith ('021).

Regarding claim 1, Smith ('021) discloses having a printing system that includes a printer (See Figure 11), a print driver in order to communicate with the computer, and application software operating in a host computer (See Col. 5, Line 63-66). Smith also has a user interface (See Figure 4, Element 63) to have the printer-independent print-quality option, or manual color according to Smith ('021), which allows the user to manually characterize the print color control before outputting (See Figure 5, Element 81), and also a printer-dependent imaging actions involving half toning (See Figure 5, Element 90) whenever the user selects manual color from the printer setup page (See Figure 4, Element 61;

Col. 7, Line 17-23; Line 35-39). A printer control device, or a printer driver according to Smith ('021), is used to implement the selected printer-independent print-quality characteristic and printer-dependent imaging actions (See Figure 5, Element 80; Col. 8, Line 11-16).

Smith ('021) does not disclose using a page description language within the printing system.

Hewlett Packard released a color technical reference manual for the PCL 5, which stands for printer control language, and is their version of a page description language. Within the reference manual, it details how the PCL 5 is used to print color through commands and output it onto various printers (See Page iii of the reference manual).

It would have been obvious to a person of ordinary skill at the time of invention by the applicant to incorporate all the methods enclosed within the PCL 5 manual into the printing system described by Smith ('021). Smith ('021) discloses one of the preferred printing devices is a HP DeskJet 1200C (See Figure 4; Col. 6, Line 60-61), and it is also one of the printers used within the PCL 5 manual for color printing using the printer control language (See Page iii of the reference manual).

Thus, claim 1 is properly rejected under 35 U.S.C. 103(a).

Regarding claim 2, Smith ('021) discloses having a user interface for selecting the printer-independent printer-quality options for each object type, such as text, graphics, and photos (See Figure 5, Element 81; Col. 7, Line 35-38), whenever the manual color option is selected (See Figure 4, Element 61).

Regarding claim 3, Smith ('021) discloses a user interface with a first option (See Figure 4, Element 63) to select manual color, then a dialog screen (See Figure 5, Element 80') to make sure the user wants to continue. Once it is confirmed, adjustments for the printer-independent printer-quality options can be specifically associated with each object type (See Figure 5, Element 81; Col. 6, Line 4-14).

Regarding claim 4, Smith ('021) discloses having a second option for associating object descriptors within the printer setup, such as fonts (See Figure 4, Element 60), print quality (See Figure 4, Element 65; Col. 6, Line 15-22), look-up table colors (See Figure 5, Element 97), and lightness (See Figure 5, Element 96), which is located within the manual color option (See Figure 4, Element 61) to increase or decrease the color tone (See Col. 7, Line 40-46). These options are related to the object type and printer-independent print-quality characteristics, which a user can customize prior to printing (See Figure 5, Element 80).

Regarding claim 5, Smith ('021) discloses a user interface for selecting automatic or manual color (See Figure 4, Element 61) with a dialog box that appears (See Figure 5, Element 80) to invoke a confirmation to either use the automatic settings or manually adjust them for the various printer-independent print-quality characteristics and printer-dependent imaging actions for each object type (See Figure 4, Element 61; Col. 6, Line 4-14).

Regarding claim 6, Smith ('021) discloses having a lightness (See Figure 5, Element 96) and look-up table colors (See Figure 5, Element 97) for customizing colors of certain areas or adjusting the degree for how dark or light

the user wants it (See Col. 7, Line 40-46). The user can also customize the font size (See Figure 4, Element 60) for a text printout, and also the quality a user wants the printout to be (See Figure 4, Element 65; Col. 6, Line 15-22).

Regarding claims 7 and 8, Smith ('021) discloses within the manual color options the printed color control and halftoning (See Figure 5, Element 81 and 90) are selected on an object-by-object basis (See Col. 7, Line 17-2) whereas the lightness and look-up table colors (See Figure 5, Element 96 and 97) are selected on an job-by-job basis (See Col. 7, Line 40-43) within the manual color options (See Figure 5, Element 80). These settings can be done without saving though, so the "Defaults" button is used as a way to have the preset options loaded and saved.

Regarding claim 9, Smith ('021) discloses have a "Defaults" button in the manual color options (See Figure 5, Element 80) to reset all the settings back to the predetermined set (See Col. 8, Line 1-5).

Regarding claim 10, Smith ('021) discloses a second user interface, or the manual color option (See Figure 5, Element 80), which is accessed after the user confirms to continue with the manual color option (See Figure 5, Element 80'). This can allow the user to control what printer-independent print-quality characteristics to select for each object type and associate it with the selected printer-dependent imagine actions (See Figure 5, Element 81 and 90; Col. 6, Line 4-14).

Regarding claim 11, Smith ('021) discloses the second user interface (See Figure 5, Element 80), which includes a second control, or the "Defaults" button (See Figure 5, Element 98) to automatically have a set of predetermined associations for the printer-independent print-quality characteristics with the printer-dependent imaging actions (See Col. 8, Line 1-5). A third control is also used (See Figure 5, Element 81 and 90) to manually associate the printer-independent print-quality characteristics of the desired object type with the printer-dependent imaging actions (See Col. 7, Line 17-23).

Regarding claim 12, Smith ('021) discloses within the second user interface (See Figure 5, Element 80) that a fourth control is used to enhance lighten or add specific colors (See Figure 5, Element 96 and 97) depending on the object type being outputted. It is used to customize the tone or color of the data to the user's liking associated with the type of printer-independent print-quality characteristics chosen (See Col. 7, Line 47-50).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is: Coleman (Pub. # 2003/0117644), Coleman (Pub. #2003/0117643), and Coleman (Pub. #2003/0121007).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vincent Rudolph
Examiner
Art Unit 2624



MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600